

Final Documents  
for  
Annexation to  
**Clean Water Services District**

WA0708  
Res/Order: 08-37

DOR: 34-1906-2008  
Secretary of State: SD 2008-0049



April 2, 2008

Metro  
Linda Martin  
600 NE Grand Ave  
Portland, Oregon 97232-2736

Dear Ms. Martin:

Please be advised that we have received and filed, as of April 2, 2008, the following records annexing territory to the following:

Ordinance/Resolution Number(s)	Our File Number
08-16	SD 2008-0044
08-17	SD 2008-0045
08-18	SD 2008-0046
08-19	SD 2008-0047
08-36	SD 2008-0048
08-37	SD 2008-0049
4475 (Beaverton)	AN 2008-0078
4476 (Beaverton)	AN 2008-0079

For your records please verify the effective date through the application of ORS 199.519.

Our assigned file number(s) are included in the above information.

Sincerely,

Linda Bjornstad  
Official Public Documents

cc: County Clerk(s)  
Department of Revenue  
ODOT  
Population Research Center

# Notice to Taxing Districts

ORS 308.225



Cadastral Information Systems Unit  
 PO Box 14380  
 Salem, OR 97309-5075  
 (503) 945-8297, fax 945-8737

Clean Water Services Dist.  
 Support Services Manager  
 155 N First Ave, Suite 270  
 Hillsboro, OR 97124

**Description and Map Approved**  
**March 25, 2008**  
**As Per ORS 308.225**

Description     Map received from: KEN MARTIN CONSULT  
 On: 3/24/2008

This is to notify you that your boundary change in Washington County for  
 ANNEX TO CLEAN WATER SERVICES DISTRICT

R&O# 08-37

has been:     Approved            3/25/2008  
                    Disapproved

Notes:

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Department of Revenue File Number: 34-1906-2008

Prepared by: Rick Sandoval 503-945-8230

Boundary:     Change     Proposed Change  
 The change is for:

- Formation of a new district
- Annexation of a territory to a district
- Withdrawal of a territory from a district
- Dissolution of a district
- Transfer
- Merge

**DOR 34-P451-2008  
Preliminary Review**



Cadastral Information Systems Unit  
PO Box 14380  
Salem, OR 97309-5075  
(503) 945-8297, fax 945-8737

Clean Water Services Dist.  
Support Services Manager  
Attn: Ken Martin Consulting  
155 N First Ave, Suite 270  
Hillsboro, OR 97124

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Date: 2/19/2008

This letter is to inform you that the map and description for your PLANNED Annex to Clean Water Services District (1S210DC Strauss) in Washington County have been reviewed per your request. They MEET the requirements for use with an Order, Ordinance, or Resolution which must be submitted in final form before March 31, 2008 per ORS 308.225.

**Preliminary  
Review**

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If you have any questions please contact: Rick Sandoval 503-945-8230

# AGENDA

## WASHINGTON COUNTY BOARD OF COMMISSIONERS

Agenda Category: Public Hearing – Department of Land Use & Transportation (CPO 10)

Agenda Title: APPROVE THE ANNEXATION OF PROPERTY ENCOMPASSING APPROXIMATELY 14.26 ACRES TO THE CLEAN WATER SERVICES DISTRICT (WA-0708)

Presented by: Brent Curtis, Planning Division Manager

### SUMMARY:

The county received a request from the Hillsboro School District and Robert & Deanna Strauss to annex three parcels and a portion of SW 229<sup>th</sup> Avenue to the Clean Water Services District (District). The properties are located in the City of Hillsboro. They are west of SW 229<sup>th</sup> Avenue, east of SW 234<sup>th</sup> Avenue, south of SE Alexander Street, and north of SW Rosa Road. They are further identified as tax map and lot numbers 1S210DC/200, 300, and 600. Attached is a map of the affected area.

The properties and the SW 229<sup>th</sup> Avenue right-of-way were annexed into the City of Hillsboro through Ordinance No. 5831 on January 15, 2008. In order for the properties to receive the necessary sanitary and storm sewer service from the District, they must be annexed to the District.

Notice of today's hearing has been made in accordance with state statutory requirements. The staff report will be provided to you prior to the hearing and it will also be available at the clerk's desk. A Resolution and Order approving the annexation is attached to the agenda.

Attachments: Resolution and Order which includes:

1. Findings (Exhibit A)
2. Site Map (Exhibit B)
3. Legal Description (Exhibit C)

### DEPARTMENT'S REQUESTED ACTION:

Conduct the public hearing to consider the annexation of the subject properties into the Clean Water Services District. Adopt a Resolution and Order approving the annexation with the approval becoming effective on May 21, 2008. Authorize the Chair to sign Resolution and Order for Service District Annexation WA-0708.

### COUNTY ADMINISTRATOR'S RECOMMENDATION:

I concur with the requested action.

100-601000

RO 08-37

Agenda Item No. 5.c.

Date: 03/18/08

1  
2 IN THE BOARD OF COUNTY COMMISSIONERS  
3  
4 FOR WASHINGTON COUNTY, OREGON  
5

6  
7 In the Matter of Approving Boundary ) RESOLUTION AND ORDER  
8 Change Proposal No. WA-0708 ) No. 08-37  
9  
10

11  
12 The above-entitled matter (WA-0708) came before the Board at its  
13 regular meeting on March 18, 2008; and

14 It appearing to the Board that this proposal involves the annexation of  
15 three tax lots (1S210DC/200, 300, 600) located on the west edge of SW  
16 229<sup>th</sup> Avenue south of Tualatin Valley Highway, in the City of Hillsboro to the  
17 Clean Water Services District; and

18 It appearing to the Board that WA-0708 was initiated by a consent  
19 petition of the property owners and registered voters and meets the  
20 requirement for initiation set forth in ORS 198.855 (3), ORS 198.750 and  
21 Metro Code 3.09.040 (a); and

22 It appearing to the Board that the Board is charged with deciding  
23 petitions for boundary changes pursuant to ORS Chapter 198 and Metro Code  
24 Chapter 3.09; and

25 It appearing to the Board that notice of the meeting was provided  
26 pursuant to ORS 198.730, ORS 197.763 and Metro Code 3.09.030; and

27 It appearing to the Board that County staff have reviewed the proposed  
28 boundary change and determined that it complies with the applicable  
29 procedural and substantive standards and should be approved; and

1 It appearing to the Board that the Board has reviewed whatever written  
2 and oral testimony has been provided regarding this proposal; now, therefore  
3 it is

4 RESOLVED AND ORDERED that Boundary Change Proposal No. WA-  
5 0708, as described in the staff report, is hereby approved, based on the  
6 analysis, findings and conclusions set forth in Exhibit A, incorporated herein  
7 by reference; and it is further

8 RESOLVED AND ORDERED that the property depicted in Exhibit B  
9 and legally described in Exhibit C is hereby declared to be annexed to the  
10 Clean Water Services District; and it is further

11 RESOLVED AND ORDERED that the minor boundary change approval  
12 shall be effective on May 21, 2008 in accord with the requirements of ORS  
13 198.747 (1) (a); and it is further

14 RESOLVED AND ORDERED that the County Administrator or his  
15 designees shall take all necessary steps to effectuate this proposal.

16 DATED this 18<sup>th</sup> day of March, 2008.

17 BOARD OF COUNTY COMMISSIONERS  
18 FOR WASHINGTON COUNTY, OREGON

19  
20  
21  
22 Tom Buran  
23 CHAIRMAN

	AYE	NAY	ABSENT
24 BRIAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
25 SCHOUTEN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
26 STRADER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
27 ROGERS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
28 DUYCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

29  
30 Barbara Hejtmanek  
31 RECORDING SECRETARY

32 Date Signed: March 18, 2008

33 Approved as to form:

34  
35 Coe G  
36 Sr. County Counsel for  
37 Washington County, Oregon

## FINDINGS

Based on the study and the public hearing the Board of County Commissioners (Board) finds:

1. The territory to be annexed is located generally on the south edge of the District on the west edge of SW 229<sup>th</sup> Avenue, south of Tualatin Valley Highway. The territory consists of 14.26 acres containing two single family dwellings and is valued at \$462,380.
2. The School District desires sewer service to facilitate construction of an elementary school.
3. Oregon Revised Statute Chapter 198 directs the Board to "consider the local comprehensive plan for the area and any service agreement executed between a local government and the affected district."

A second set of criteria can be found in the Metro Code. To approve a boundary change, the reviewing entity [the County Board] must apply the criteria and consider the factors set forth in the Code. To approve a boundary change the County must:

- (1) Find that the change is consistent with expressly applicable provisions in:
  - (A) Any applicable urban service agreement adopted pursuant to ORS 195.205;
  - (B) Any applicable annexation plan adopted pursuant to ORS 195.205;
  - (C) Any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party;
  - (D) Any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services; and
  - (E) Any applicable comprehensive plan; and
- (2) Consider whether the boundary change would:
  - (A) Promote the timely, orderly and economic provision of public facilities and services;
  - (B) Affect the quality and quantity of urban services; and
  - (C) Eliminate or avoid unnecessary duplication of facilities and services.

The District, Washington County and the City of Hillsboro are parties to an agreement which specifies which unit of government will handle which aspects of sanitary sewer service. No City or district annexation plans are in place for this area. The District, Washington County and the City of Hillsboro are parties to cooperative agreements under ORS 195. Under the District's master plan and urban service agreements the area is identified as appropriate for receipt of sewer service from the District and the City. Since the area was only recently annexed to the City the City does not have a comprehensive plan covering the area. The County Plan does identify the area as appropriate for urban uses following annexation to the City.

4. The property to be annexed is inside Metro's jurisdictional boundary and inside the regional Urban Growth Boundary (UGB).

The law that requires Metro to adopt criteria for boundary changes specifically states that Metro shall ". . . ensure that a boundary change is in compliance with the Metro regional framework plan as defined in ORS 197.015 and cooperative agreements and urban service agreements adopted pursuant to ORS 195." ORS 197.015 says "Metro regional framework plan means the regional framework plan required by the 1992 Metro Charter or its separate components." The Regional Framework Plan was reviewed and found not to contain specific criteria applicable to boundary changes.

There are two adopted regional functional plans, the Urban Growth Management Functional Plan and the Regional Transportation Plan, which were examined and found not to contain any directly applicable standards and criteria for boundary changes.

5. This property was annexed to the City of Hillsboro in January, 2008.

The County's Comprehensive Plan does have a policy, *Policy 15*, which is relevant to the annexation. Implementation Strategy h. of Policy 15 says:

The County will:

....

*h. Not oppose proposed annexations to a special service district:*

- 1. That are consistent with an urban service agreement; or*
- 2. If no urban service agreement applies to the property, the property lies within an area for which the district is designated a party in a cooperative agreement adopted pursuant to ORS 195.020 and the district has adopted a Master Plan for the area.*

*Annexations to special service districts that are consistent with an adopted urban service agreement are deemed to be consistent with the Washington County Plan.*

Washington County, the City of Hillsboro and Clean Water Services are parties to an Urban Service Agreement. Under the agreement the City provides local collector sewers while the District is responsible for major transmission and treatment functions. Therefore the County will not oppose this annexation and the action is considered to be consistent with the Washington County Comprehensive Plan.

6. The City has not yet rezoned the property from the County's FD-20 (Future Development – 20 acre minimum) since it was only recently annexed to the City. The applicant intends to request a City zone change to R-7, Residential.

Section IV.A. of Section 2 of the City Comprehensive Plan states:

**(A) Urban development shall occur only where urban services exist or are available. It is the intent of this Plan to encourage development in those areas where such services are currently available or can be readily provided in a logical manner.**

(1) Urban services necessary for development include adequate water, **sewer**, and fire protection.

7. ORS 195 requires agreements between providers of urban services. Urban services are defined as: sanitary sewers, water, fire protection, parks, open space, recreation and streets, roads and mass transit. These agreements are to specify which governmental entity will provide which service to which area in the long term. The counties are responsible for facilitating the creation of these agreements. As noted above this area is covered by an urban service agreement.
8. The bulk of the City of Hillsboro (but not this site) is within the Clean Water Services District.  
  
A 10-inch sanitary sewer line in SE Alexander St. could serve the site via a pump station if the new line currently underway from River Road to SW 229<sup>th</sup> is not available at the time of development of the school.
9. An existing 10-inch water line in SE Alexander St. will serve the area to be annexed.
10. The District has responsibility for surface water management within the Washington County urban growth boundary. The District has entered into an intergovernmental agreement with the City of Hillsboro for allocation of City and District responsibilities. The City has responsibility for operations and maintenance of storm and surface water facilities within Hillsboro.
11. The City of Hillsboro provides parks & recreation services.

12. The area is served by SW 229<sup>th</sup> Avenue.
13. The area to be annexed is served by the City's Fire Department. The closest station is the Brookwood station.
14. The City of Hillsboro provides police service to the area.

### CONCLUSIONS AND REASONS FOR DECISION

Based on the Findings, the Board determined:

1. The Metro Code calls for consistency with expressly applicable provisions of urban service agreements adopted pursuant to ORS 195. The annexing entity (Clean Water Services), Washington County and the City of Hillsboro are parties to an urban service agreement. The agreement divides responsibility for the provision of sewer service. Therefore the boundary change is consistent such an agreement.
2. The Metro Code requires consistency with expressly applicable provisions of any applicable annexation plan adopted pursuant to ORS 195.205. No city or district annexation plan covers this area. Therefore the boundary change is not inconsistent with any such plan.
3. Metro Code 3.09.045 (d) (1) (C) requires the County to find that the boundary change is consistent with any applicable cooperative planning agreement adopted pursuant to ORS 195.020 (2) between the affected entity and a necessary party. The City County and the District are parties to cooperative agreements required by ORS 195. Therefore the Board concludes the proposal is consistent with this requirement.
4. The Metro Code at 3.09.045 (d) (1) (C) calls for consistency between the Board decision and any "expressly applicable provisions" contained in any applicable public facility plan adopted pursuant to a statewide planning goal on public facilities and services. The District master plan and the urban service agreements dictate that provision of sewer service to this area by the District and the City is appropriate.
5. The Metro Code calls for consistency with expressly applicable provisions in any applicable comprehensive land use plans. ORS 198 requires consideration of the applicable comprehensive plan and any service agreements affecting the area. The

Board has reviewed the Washington County Comprehensive Plan and concludes this proposal complies with it. As noted in Finding 5, the Plan says the County won't oppose a district annexation which is consistent with an adopted urban service agreement. The Board has reviewed the City Plan and notes that the Plan calls for urban uses to be developed where urban services are available and that this action will make a key urban service available to complement other urban services.

6. Metro Code 3.09.045 (d) (2) (A) requires consideration of whether the boundary change would "Promote the timely, orderly and economic provision of public facilities and services." The District already provides services to surrounding areas. The Board therefore concludes that annexation promotes the timely, orderly and economic provision of this service.
7. The Metro Code at 3.09.045 (d) (2) (B) calls for consideration of whether the boundary change will affect the quality and quantity of urban services. Given the size of the District, this one lot annexation will have little or no impact on the District's ability to provide services.
8. The Board is to consider whether the boundary change would "Eliminate or avoid unnecessary duplication of facilities or services." Each small annexation to the District adds to the efficiency of having the District be the sole provider of sewer treatment and major transportation within the City. Therefore the Board concludes this criterion is met.



**ANNEXATION CERTIFIED**

BY Paul A. Koff  
FEB 01 2008

City of Hillsboro  
Annexation 10-07: Strauss  
Proposed legal description  
NS, December 4, 2007

WASHINGTON COUNTY A & T  
CARTOGRAPHY

**EXHIBIT C**

Proposal No. WA-0708

A tract of land in the southeast quarter of Section 10, Township 1 South, Range 2 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Beginning at the northeast corner of Lot 65 of Witch Hazel Little Farms, a duly recorded subdivision in said county;

thence South 74°21'30" East, along the southeasterly projection of the north line of said lot, a distance of 41.34 feet to a point on the east right of way line of Southwest 229<sup>th</sup> Avenue;

thence South 1°00' West, along said right of way line, a distance of 1135.01 feet to the intersection of said right of way line and the easterly projection of the south line of that tract of land conveyed to Robert E. Strauss and Deanna M. Strauss by deed recorded June 20, 2007 as Document No. 2007-068327 in Deed Records of said county;

thence North 89°00' West, along said projection and said south line, a distance of 822.0 feet to the southwest corner of said Strauss Tract;

thence North 1°00' East, along the west line of Lots 68, 67, and 66 of Witch Hazel Little Farms, a distance of 881.70 feet to the northwest corner of said Lot 66;

thence South 89°00' East, along the north line of said lot, a distance of 782.0 feet to the northeast corner thereof;

thence North 1°00' East, along the west right of way line of Southwest 229<sup>th</sup> Avenue, a distance of 263.76 feet to the point of beginning.

EXCEPTING THEREFROM the following described property:

Beginning at the southeast corner of Lot 67 of Witch Hazel Little Farms;

thence North 89°00' West, along the south line of said lot, a distance of 250.0 feet to the southwest corner of that tract of land conveyed to Gregory W. Homdrom by deed recorded April 30, 2004 as Document No. 2004-048014 in Deed Records of said county;

thence North 1°00' East, along the west line of said tract and the west line of that tract of land conveyed to Brad R. Smith and Kimberly A. Smith by deed recorded May 13, 1999

as Document No. 99-58504 in Deed Records of said county, a distance of 273.85 feet to the northwest corner of said Smith Tract;

thence South  $89^{\circ}00'$  East, along the north line of said tract, a distance of 250.0 feet to the northeast corner thereof;

thence South  $1^{\circ}00'$  West, along the west right of way line of Southwest 229<sup>th</sup> Avenue, a distance of 273.85 feet to the point of beginning.

RECORDING REQUESTED BY  
FIDELITY NATIONAL TITLE COMPANY OF OREGON

GRANTOR'S NAME  
Johnny J. Strain and Elsie Kay Strain

GRANTEE'S NAME  
Robert E. Strauss and Deanna M. Strauss

SEND TAX STATEMENTS TO:  
Mr. and Mrs. Robert E. Strauss  
24175 SW Davis Rd  
Hillsboro, OR 97123

AFTER RECORDING RETURN TO:  
Mr. and Mrs. Robert E. Strauss  
24175 SW Davis Rd  
Hillsboro, OR 97123

850  
1165

Washington County, Oregon  
06/20/2007 10:31:43 AM  
D-DW Cnt#1 Str#7 K GRUNEWALD  
\$5.00 \$6.00 \$11.00 \$850.00 - Total = \$872.00



01130385200700683270010018  
I, Richard Hobernicht, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.  
Richard Hobernicht, Director of Assessment and Taxation, Ex-Officio County Clerk



SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Johnny J. Strain and Elsie Kay Strain, Husband and Wife, Grantor, conveys and warrants to

Robert E. Strauss and Deanna M. Strauss, Husband and Wife, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Washington, State of Oregon,

The North 150 feet of Lot 68, WITCHHAZEL LITTLE FARMS, in the County of Washington and State of Oregon.

Subject to and excepting:

Covenants, conditions, restrictions and easements of record.



WASHINGTON COUNTY  
REAL PROPERTY TRANSFER TAX  
\$850.00 6-20-07  
FEE PAID DATE

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$850,000.00 (See ORS 93.030)

DATED: June 18, 2007

STATE OF OREGON  
COUNTY OF Washington

This instrument was acknowledged before me on  
June 19, 2007  
by Johnny J. Strain and Elsie Kay Strain----

NOTARY PUBLIC FOR OREGON  
MY COMMISSION EXPIRES: 05-14-2011

Johnny J. Strain  
Johnny J. Strain  
Elsie Kay Strain  
Elsie Kay Strain



FIDELITY NATIONAL TITLE CO. 09-9010527

15  
6  
11  
320



After recording return to:  
Greg W. Homdrom  
3815 SW 229th Avenue  
Beaverton, OR 97007

Until a change is requested all tax statements shall be sent to the following address:  
Greg W. Homdrom  
3815 SW 229th Avenue  
Beaverton, OR 97007

File No.: 7034-365340 (MLY)  
Date: April 27, 2004

FATCO. NO. 365340 CT

Washington County, Oregon 2004-048014  
04/30/2004 04:36:45 PM  
D-DW Cnt#1 Stn#22 I REED  
\$15.00 \$6.00 \$11.00 \$320.00 - Total = \$352.00



THIS SPACE RES

I, Jerry Hanson, Director of Assessment and Taxation and Ex-Officio County Clerk for Washington County, Oregon, do hereby certify that the within instrument of writing was received and recorded in the book of records of said county.

*Jerry Hanson*  
Jerry R. Hanson, Director of Assessment and Taxation,  
Ex-Officio County Clerk



WASHINGTON COUNTY  
REAL PROPERTY TRANSFER TAX  
\$ 320.00 4-30-04  
FEE PAID DATE

### STATUTORY WARRANTY DEED

**Dennis L. Reader and LeAnn Reader**, Grantor, conveys and warrants to **Gregory W. Homdrom**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

**This property is free from liens and encumbrances, EXCEPT:**

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

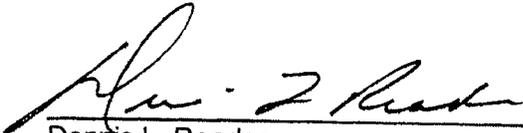
The true consideration for this conveyance is **\$320,000.00**. (Here comply with requirements of ORS 93.030)



APN: R0343239

Statutory Warranty Deed  
- continued

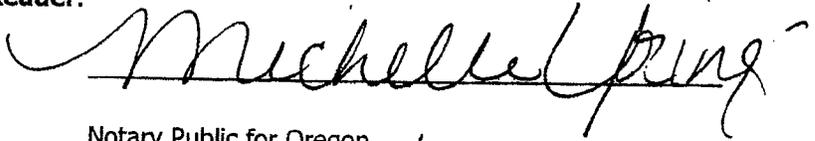
File No.: 7034-365340 (MLY)  
Date: 04/27/2004

  
Dennis L. Reader

  
LeAnn Reader

STATE OF Oregon )  
County of Washington )ss.  
)

This instrument was acknowledged before me on this 30 day of April, 2004  
by **Dennis L. Reader and LeAnn Reader.**



Notary Public for Oregon  
My commission expires: 4/6/06





2004-48014

APN: **R0343239**

Statutory Warranty Deed  
- continued

File No.: **7034-365340 (MLY)**  
Date: **04/27/2004**

**EXHIBIT A**

LEGAL DESCRIPTION:

A tract of land in Lot 67, WITCH HAZEL LITTLE FARMS, in Washington County, Oregon described as follows:

Beginning at the Southeast corner of said Lot 67, and running thence North 01°00' East along the East line thereof, 173.85 feet to the Southeast corner of that tract of land conveyed to Alfred A. Nelson, et ux, by deed recorded in Book 416, Page 259, Records of Washington County; thence North 89°00' West along the South line of said Nelson tract, 250.0 feet to the Southwest corner thereof; thence South 01°00' West parallel with the East line of said Lot 67, 173.85 feet to the South line thereof; thence South 89°00' East along said South line, 250.0 feet to the point of beginning.

MAY 13 1999

FIDELITY NATIONAL TITLE 63277

RECORDING REQUESTED BY  
FIDELITY NATIONAL TITLE COMPANY OF OREGON

GRANTOR'S NAME  
Phillip N Smesrud and Tezahick Smesrud

GRANTEE'S NAME  
Brad R Smith and Kimberly A Smith

SEND TAX STATEMENTS TO:  
Mr. and Mrs. Brad R Smith  
3858 SW 229th Ave  
Beaverton, OR 97007

AFTER RECORDING RETURN TO:  
Mr. and Mrs. Brad R Smith  
3858 SW 229th Ave  
Beaverton, OR 97007

STATE OF OREGON  
County of Washington } 88

I, Jerry R. Hanson, Director of Assessment and Taxation and Executive County Clerk for said county, do hereby certify that the within instrument of writing was received and recorded in book of records of said county.



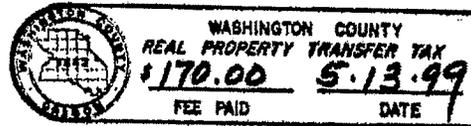
Jerry R. Hanson, Director of Assessment and Taxation, Executive County Clerk  
Doc : 99058504  
Rect: 231598 206.00  
05/13/1999 10:12:50am

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY WARRANTY DEED

Phillip N Smesrud and Tezahick Smesrud as tenants by the entirety, Grantor, conveys and warrants to  
Brad R Smith and Kimberly A Smith as tenants by the entirety, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Washington, State of Oregon,  
SEE EXHIBIT ONE ATTACHED HERETO AND MADE A PART HEREOF

Subject to and excepting:



THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS \$169,900.00 (See ORS 93.030)

DATED: May 5, 1999

*Phillip N Smesrud*  
Phillip N Smesrud

*Tezahick Smesrud*  
Tezahick Smesrud

STATE OF OREGON,  
County of Washington } ss.

FORM No. 23--ACKNOWLEDGMENT.  
Stevens-Niles Law Publishing Co. ILL  
Portland, OR 97204 © 1992

BE IT REMEMBERED, That on this 5 day of May, 1999, before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within named Phillip N. Smesrud and Tezahick Smesrud

known to me to be the identical individual described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.



*Kellie S. Dotter*  
Kellie S. Dotter  
Notary Public for Oregon  
My commission expires 12/28/00

### EXHIBIT ONE

A parcel of land in Lot 67, Witch Hazel Little Farms, Washington County, Oregon, more particularly described as follows:

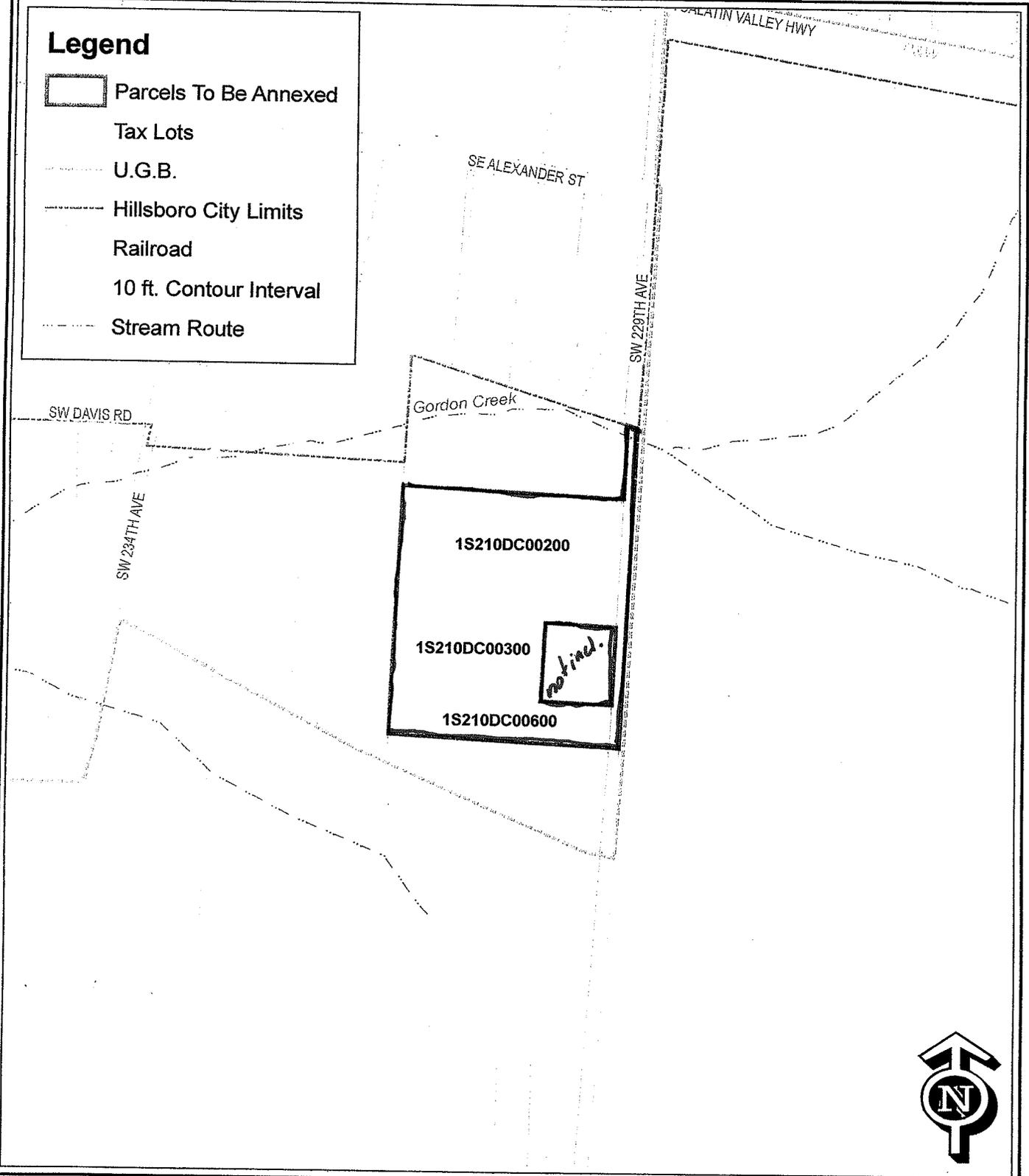
Beginning at a point on the East line of said Lot 67, which point bears North 1°00' East 173.85 feet from the Southeast corner thereof and running thence North 1°00' East along said East line 100.0 feet; thence North 89°00' West parallel with the South line of said Lot 67, 250 feet; thence South 1°00' West parallel with the East line of said Lot 67, 100.00 feet; thence South 89°00' East parallel with the South line of said Lot 67, 250 feet to the place of beginning.

MAY 13 1993

2

**Legend**

-  Parcels To Be Annexed
-  Tax Lots
-  U.G.B.
-  Hillsboro City Limits
-  Railroad
-  10 ft. Contour Interval
-  Stream Route



PREPARED BY:

ED MURPHY & ASSOCIATES  
 9875 SW MURDOCK STREET  
 TIGARD, OREGON 97224  
 PHONE: 503.624.4625  
 FAX: 503.968.1674

**Parcel Map**  
**Hillsboro School District**  
**Washington County, Oregon**

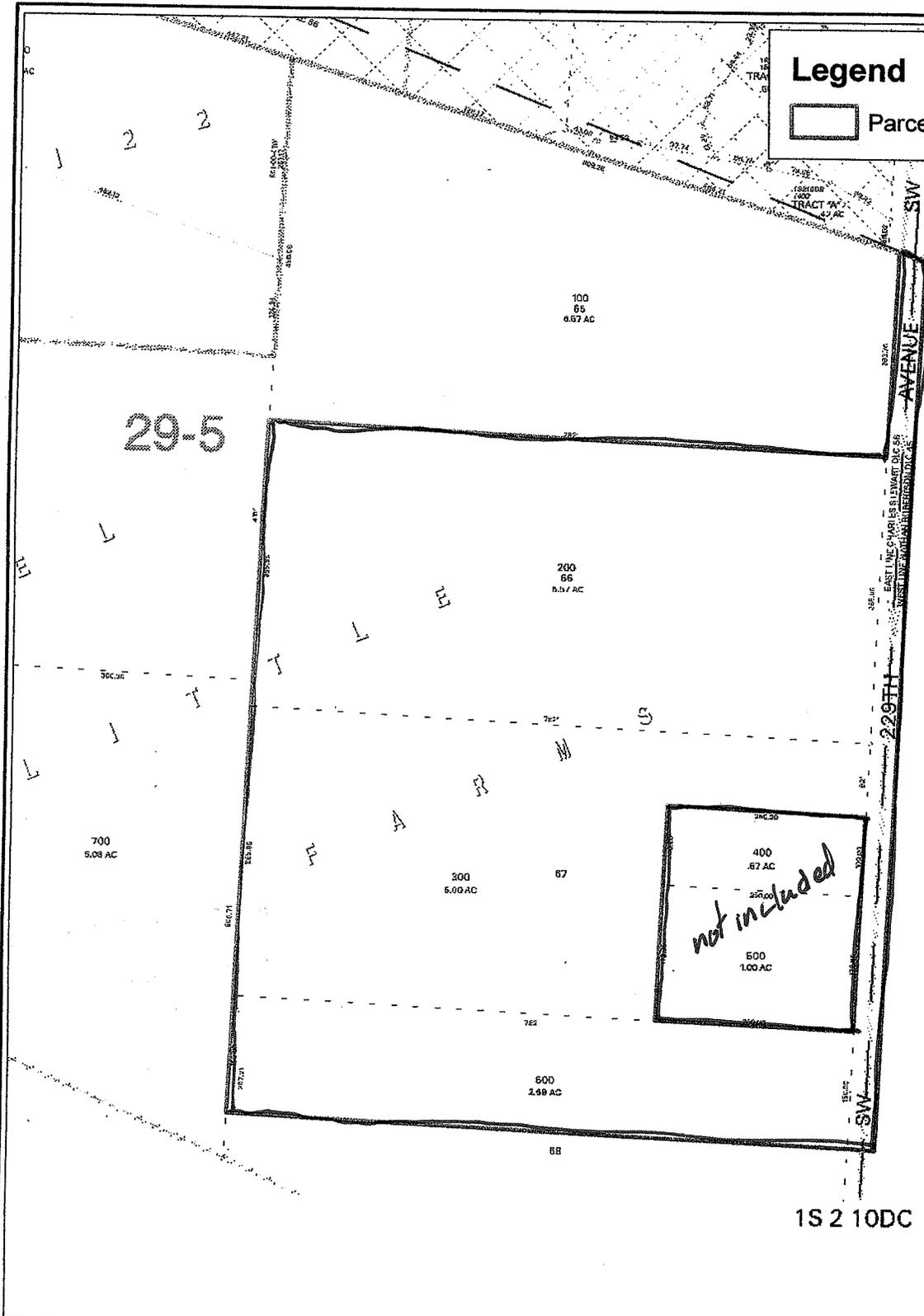
Source:  
 Metro Data Resource Center, RLIS Lite Data Disc, August, 2007.

01/14/2008

Scale:  
 1 in. = 500 ft.

Project #:  
 N0006

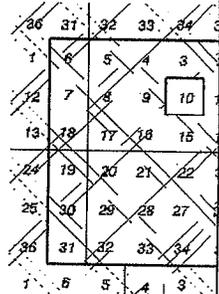
Drawn By: CEB



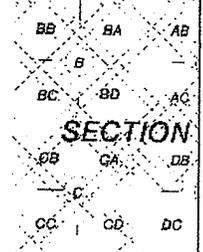
**Legend**

Parcels To Be Annexed

WASHINGTON COUNTY  
SW1/4 SE1/4 SECTION 10 T  
SCALE 1" = 100'



FOR ADDITIONAL MAPS VISIT  
[www.co.washington.or.us](http://www.co.washington.or.us)



Cancelled Taxlots For: 1S210DC  
901,



PLOT DATE: July 0  
FOR ASSESSMENT P  
ONLY - DO NOT RE  
FOR OTHER U  
This map is provided by either your section  
system are for reference only and may not  
current property boundaries. Please consult  
for the most current information.



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**Tax Map**  
**Hillsboro School District**  
**Washington County, Oregon**

Source:  
Tax Map obtained from Washington County's Intermap Web Page.

Date:  
12/05/2007

Scale:  
1 in. = 200 ft.

Project #:  
N0006

Drawn By: CEB